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CLERK OF COURT

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10 Attorneys for Plaintiffs, BRENDA HICKMAN
11 and BETTY HENRY

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

SC

15 BRENDA HICKMAN and BETTY HENRY,

CV 08

3686

CASE NO.

16 Plaintiffs,

CERTIFICATE RE NOTICE
OF EX PARTE APPLICATION

17 vs.

18 TRUST DEED INVESTMENTS, INC.,
19 a California corporation; PHILIP B. GOLDSTEIN;
20 THE HASKELL PROPERTIES; NIKOS
21 GLIMIDAKIS; et al.,

22 Defendants.

23 I, Leo B. Siegel, declare as follows:

24 1. I am an attorney at law, licensed to practice in the State of California. I am one of the
25 attorneys for the plaintiffs in the above-captioned action. I have personal knowledge of the facts
26 set forth in this declaration, and could testify competently to them if called as a witness.

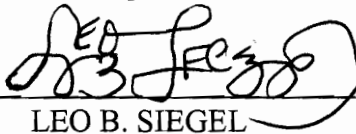
27 2. This action concerns a loan transaction, including and based upon a deed of trust that
28 contains provisions violating the Truth In Lending Act (TILA), and other consumer statutes. The
deed of trust was originated by Defendant Trust Deed Investments, Inc., and its principal officer,

1 Defendant Philip Goldstein. Defendants assigned fractional interests in the deed of trust to various
2 other individuals, entities and trusts who are necessarily listed as defendants in this action.
3

4 3. On August 1, 2008, at 9:00 a.m., I notified Dennis H. Doss, attorney for Defendant
5 Philip B. Goldstein, President of Trust Deed Investments, Inc., as well as Mr. Goldstein,
6 individually and on behalf of all of the beneficiaries of the subject deed of trust, that I would be
7 appearing ex parte on Monday, August 4, 2008, at 9:00 a.m. before the assigned judge in this case
8 to present an Ex Parte Application for a Temporary Restraining Order and an Order to Show
9 Cause re Preliminary Injunction. I advised the Defendant and his counsel that the Temporary
10 Restraining Order is needed to enjoin a foreclosure of my clients' property in San Francisco,
11 California that they have expressed and intent to proceed with on the following day, Tuesday,
12 August 5, 2008, unless they were willing to stipulate to a postponement of the trustee's sale.
13
14

15 4. Email notification of the ex parte appearance was required and appropriate because Mr.
16 Doss, Defendant Goldstein's attorney, has failed to return the numerous attempts from my co-
17 worker, Michael E. Stone, Esq., the main attorney for plaintiffs, over the last several days. The
18 notice of this appearance was emailed to Mr. Doss at dennis@dosslaw.com, and to Mr. Goldstein
19 at philgoldstein@pacbell.net.
20
21

22 I declare under penalty of perjury that the foregoing is true and correct and that this
23 declaration was executed on August 1, 2008, at Campbell, California.
24

25 
26 LEO B. SIEGEL
27
28